

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ELESTINE DRISKELL,

Plaintiff,

Case No. 16-cv-13825  
Hon. Matthew F. Leitman

v.

STATE OF MICHIGAN DEPARTMENT  
OF HEALTH AND HUMAN SERVICES,

Defendant.

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**ORDER DISMISSING COMPLAINT (ECF #1) WITHOUT PREJUDICE**

On October 27, 2016, Plaintiff Elestine Driskell filed this action against Defendant, the State of Michigan Department of Health and Human Services. (*See* Complaint, ECF #1.) Given the lack of progress in this case, the Court issued an Order to Show Cause on March 30, 2017 (the “Show Cause Order”). (*See* ECF #4.) In the Show Cause Order, the Court ordered Driskell to show cause, in writing, by no later than April 20, 2017, why this action “should not be dismissed for failure to prosecute.” (*Id.*) The Court warned Driskell that a “[f]ailure to respond [to the Show Cause Order] may result in dismissal of the case.” (*Id.*)

Driskell never responded to the Show Cause Order as the Court required, and there have been no other developments in the case. The Court concludes that Driskell is not prosecuting this action against Defendant. Accordingly, pursuant to

Local Rule 41.2<sup>1</sup>, **IT IS HEREBY ORDERED** that Driskell's Complaint (ECF #1) is **DISMISSED WITHOUT PREJUDICE**.

s/Matthew F. Leitman  
MATTHEW F. LEITMAN  
UNITED STATES DISTRICT JUDGE

Dated: March 26, 2019

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on March 26, 2019, by electronic means and/or ordinary mail.

s/Holly A. Monda  
Case Manager  
(810) 341-9764

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<sup>1</sup> The relevant provision of Local Rule 41.2 is as follows: "[W]hen it appears that ... the parties have taken no action for a reasonable time, the court may, on its own motion after reasonable notice or on application of a party, enter an order dismissing or remanding the case unless good cause is shown." E.D. Mich. L.R. 41.2.